

REMARKS

In the application claims 14-41 and 46 remain pending. Certain of the claims have been amended in keeping with the specification and figures as originally filed. No new matter has been added.

At this time, it is respectfully requested that the rejection of the claims be reconsidered.

Pending claims 14, 16-19, 21-25, 28, 29, 34, 36-41, and 46 stand rejected under 35 U.S.C. § 103 as being rendered obvious primarily by the combination of Lee (U.S. Patent No. 6,728,531) in view of Haartsen ("Bluetooth – The universal interface for ad hoc, wireless connectivity." In response to this rejection it is respectfully submitted that Lee, when fully and fairly considered in its entirety, fails to disclose, teach, or suggest at least the claimed automatically downloading of digital media content from a computer system to an automotive playback device where the digital media content is first automatically downloaded by the computer system from a wide area network based on user preferences input into the computer system. For at least this reason, it is respectfully submitted that the rejection of the claims must be withdrawn.

Considering now Lee, Lee discloses a system in which a user interface, i.e., user preferences, is downloaded to the vehicle's multimedia device (20), through the use of a remote programmable device (40), to thereby allow digital media content to be retrieved directly into the vehicle's multimedia device (20) in response to a user interacting with the user interface as it is presented on the vehicle's multimedia device (20). While the remote programmable device (40), such as a computer connected to the Internet (60), is described as being used to download information from an Internet gateway network (30) to the multimedia device (20) in the vehicle (184), Lee never sets forth that the information downloaded from the Internet gateway network (30) to the vehicle's multimedia device (20) via the remote

programmable device (40) is digital media content that is first automatically obtained from a wide area network, based on user defined preferences input into the remote programmable device (40). In this regard, Col. 6, lines 24+ cited to in the Advisory Action does not expressly or implicitly disclosed this claimed element. Instead, by its plain language, Col. 6, lines 24+ of Lee only discloses that, from the remote device (40), a user can customize the way audio broadcasts and personal information service channels are organized *in the multimedia device (20)*, i.e., the remote device (40) is usable to configure the user interface of the multimedia device (20) by which a user causes the multimedia device (20) to retrieve content *directly* from one or more sources, a user can request new personal information services be downloaded to the multimedia device (20), i.e., the user may manually download software applications into the multimedia device (20), or a user can retrieve information from the gateway (30) that has stored thereon data transmitted from or stored in response to a signal received from the vehicle.

That the remote device (40) fails to be used to automatically retrieve digital media content from a wide area network based on user preferences input into the remote device (40) which retrieved digital media content is then downloaded into a system of the vehicle is further evidenced by Col. 14, lines 35+ of Lee. In this regard, Lee expressly describes that it is the vehicle's multimedia device (20), as opposed to the remote device (40), that performs the function of retrieving digital media content which digital media content is further retrieved in response to a user interacting with the user interface of the vehicle's multimedia device (20). Specifically, Lee describes that the vehicle multimedia device (20) receives digital media content by means of configuration data that is provided to the vehicle multimedia device to allow *the vehicle's multimedia device (20)* to access media content in the form of a particular local or satellite channel in response to selections by a user. In the event that the channel selected by a user is an Internet audio broadcast, the tuning program of

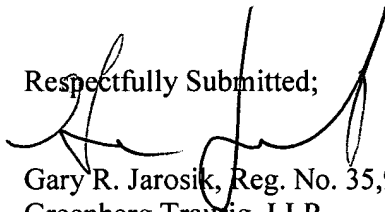
the vehicle's multimedia device (20) will create a wireless Internet connection with the gateway (30) by sending a request for the media content to a designated URL. Thus, it is evident that the system of Lee, which provides to the multimedia device (20) nothing more than the programming and data needed by the multimedia device (20) to allow a user to cause *the multimedia device (20)* to tune to a broadcast channel, fails to disclose, teach, or suggest the system and method claimed in which digital media content is automatically downloaded to a computer system from a wide area network based on user preferences input into the computer system with the digital media content is then downloaded from the computer system to an automotive storage device. For at least this reason it is respectfully submitted that the rejection of the claims must be withdrawn.

CONCLUSION

It is respectfully submitted that the application is in good and proper form for allowance. Such action of the part of the Examiner is respectfully requested. Should it be determined, however, that a telephone conference would expedite the prosecution of the subject application, the Examiner is respectfully requested to contact the attorney undersigned.

While it is not believed that any fees are due, the Commissioner is authorized to charge any fee deficiency to deposit account 50-2428 in the name of Greenberg Traurig.

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Respectfully Submitted;

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